

PATENT COOPERATION TREATY

From the  
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:  
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PCT

WRITTEN OPINION OF THE  
INTERNATIONAL PRELIMINARY  
EXAMINING AUTHORITY

(PCT Rule 66)

Applicant's or agent's file reference 27726-95275		Date of mailing (day/month/year) <b>11 FEB 2005</b>
International application No. PCT/US03/39709		REPLY DUE within 2 months/days from the above date of mailing
International filing date (day/month/year) 12 December 2003 (12.12.2003)	Priority date (day/month/year) DECEMBER 12 2002	
International Patent Classification (IPC) or both national classification and IPC IPC(7): G09G 5/00 and US Cl.: 715/771		
Applicant BUNN-O-MATIC CORPORATION		

- ☒ The written opinion established by the International Searching Authority:  
☒ is ☐ is not  
considered to be a written opinion of the International Preliminary Examining Authority.
- This second (first, etc.) opinion contains indications relating to the following items:
 

<input checked="" type="checkbox"/> Box No. I	Basis of the opinion
<input type="checkbox"/> Box No. II	Priority
<input type="checkbox"/> Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/> Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/> Box No. V	Reasoned statement under Rule 66.2 (a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/> Box No. VI	Certain documents cited
<input type="checkbox"/> Box No. VII	Certain defects in the international application
<input type="checkbox"/> Box No. VIII	Certain observations on the international application

3. The applicant is hereby invited to reply to this opinion.

**When?** See the time limit indicated above. ~~The applicant may, before the expiration of that time limit, request this Authority to grant an extension, see Rule 66.2(e).~~

**How?** By submitting a written reply, accompanied, where appropriate, by amendments, according to Rule 66.3. For the form and the language of the amendments, see Rules 66.8 and 66.9.

**Also** For the examiner's obligation to consider amendments and/or arguments, see Rule 66.4bis. For an informal communication with the examiner, see Rule 66.6. For an additional opportunity to submit amendments, see Rule 66.4.

If no reply is filed, the international preliminary examination report will be established on the basis of this opinion.

4. The final date by which the international preliminary report on patentability (Chapter II of the PCT) must be established according to Rule 69.2 is: 12 April 2006 (12.04.2006)

Name and mailing address of the IPEA/ US Mail Stop PCT, Attn: IPEA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (703) 305-3230	Authorized officer <i>Heather Hendon</i> Telephone No. (703) 305-3800
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Form PCT/IPEA/408 (cover sheet)(January 2004)

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DATE *0.11.57K*

**WRITTEN OPINION OF THE  
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY**

International Application No.

PCT/US03/39709

**Box No. I Basis of the opinion**

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This opinion is based on a translation from the original language into the following language \_\_\_\_\_, which is the language of a translation furnished for the purposes of:

- ☐ international search (under Rules 12.3 and 23.1(b))  
☐ publication of the international application (under Rule 12.4)  
☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this opinion has been established on the basis of (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as "originally filed."*):

☒ the international application as originally filed/furnished

☒ the description:

pages 1-9 as originally filed/furnished  
pages NONE received by this Authority on \_\_\_\_\_  
pages NONE received by this Authority on \_\_\_\_\_

☒ the claims:

pages 10-14 as originally filed/furnished  
pages NONE as amended (together with any statement) under Article 19  
pages NONE received by this Authority on \_\_\_\_\_  
pages NONE received by this Authority on \_\_\_\_\_

☒ the drawings:

pages 1-22 as originally filed/furnished  
pages NONE received by this Authority on \_\_\_\_\_  
pages NONE received by this Authority on \_\_\_\_\_

☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.

3. ☒ The amendments have resulted in the cancellation of:

- ☒ the description, pages NONE  
☒ the claims, Nos. NONE  
☒ the drawings, sheets/figs NONE  
☐ the sequence listing (*specify*): \_\_\_\_\_  
☐ any table(s) related to the sequence listing (*specify*): \_\_\_\_\_

4. ☐ This opinion has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages \_\_\_\_\_  
☐ the claims, Nos. \_\_\_\_\_  
☐ the drawings, sheets/figs \_\_\_\_\_  
☐ the sequence listing (*specify*): \_\_\_\_\_  
☐ any table(s) related to the sequence listing (*specify*): \_\_\_\_\_

**WRITTEN OPINION OF THE  
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY**

International Application No.  
PCT/US03/39709

**Box No. V Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

**1. Statement**

Novelty (N)	Claims <u>1-30</u>	YES
	Claims <u>NONE</u>	NO
Inventive Step (IS)	Claims <u>NONE</u>	YES
	Claims <u>1-30</u>	NO
Industrial Applicability (IA)	Claims <u>1-30</u>	YES
	Claims <u>NONE</u>	NO

**2. Citations and Explanations:**  
Please See Continuation Sheet

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**Supplemental Box**

(To be used when the space in any of the preceding boxes is not sufficient)

**TIME LIMIT:**

The time limit set for response to a Written Opinion may not be extended. 37 CFR 1.484(d). Any response received after the expiration of the time limit set in the Written Opinion will not be considered in preparing the International Preliminary Examination Report.

**V. 2. Citations and Explanations:**

Claims 1-30 lack an inventive step under PCT Article 33(3) as being obvious over Holbrook et al.

As for claims 1, 8, 28: Holbrook et al teach a computer implemented method and corresponding system, program code means for planning an arrangement of furniture on a surface, comprising the steps/means for:

Providing an interface having a graphical representation of a surface (0036, 0043, fig. 8),

Providing on the interface a graphical representation of at least one piece of furniture (0039-0040),

Iteratively allowing a user to select a piece of furniture and place a graphical representation of the selected furniture onto the surface (0040, 0043). It is noted that Holbrook et al teach the arranging of furniture but not beverage equipment. However the different appears to be an obvious field of use. It would have been obvious to one of skill in the art at the time of the invention was made, to apply Holbrook teaching to the arranging of beverage equipment for the advantage of having computer simulated arrangement.

As for claim 2: A work surface (space) can be selected and defined by the user (0040). Calculation of open space is inherently included in Holbrook's teaching of space analysis and feedback (0025, 0036, 0043).

As for claim 3: Calculating space area of an object by multiplication of its sides is well known in the art. The implementation would have been obvious in light of Holbrook's teaching of surface analysis and planning.

As for claims 4, 5: Feedback and tip are provided to prevent user from improperly placing furniture (0025, 0026, 0036).

As for claims 6, 7: Selected furniture icon can be moved around in the work space (0043).

As for claims 9, 22, 29: Holbrook et al teach a computer implemented method and corresponding system, program code means for planning an arrangement of furniture on a surface, comprising the steps/means for:

Providing an interface having a graphical representation of a surface (0036, 0043, fig. 8),

Providing on the interface a graphical representation of at least one piece of furniture (0039-0040),

Iteratively allowing a user to select a piece of furniture and place a graphical representation of the selected furniture onto the surface (0040, 0043). It is noted that Holbrook et al teach the arranging of furniture but not beverage equipment. However the different appears to be an obvious field of use. It would have been obvious to one of skill in the art at the time of the invention was made, to apply Holbrook teaching to the arranging of beverage equipment for the advantage of having computer simulated arrangement. Total cost is calculated and reported to user (0025). Holbrook et al fail to teach the calculation of projected income value. However, calculation of projected income value is well known in business application. In light of the applying Holbrook's teaching to the investment of beverage equipment set forth above, it would have been obvious and desirable to implement the calculation the projected income value for the investment.

As for claims 10, 11, 12: Cost value is calculated automatically by the system based on parts selected by the user (0025). Holbrook et

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**Supplemental Box**

(To be used when the space in any of the preceding boxes is not sufficient)

al fail to teach that the cost can be entered and edit by the user, however such implementation would have been obvious to one of skill in the art to provide user control and editing of data entry.

As for claims 13, 14, 16, 17: Calculating of profit based on the location of the business, sale volume and adjusted sale volume is well known in business application.

As for claim 15: Calculation of pay-off time is well known in business investment.

As for claims 18, 19: A report of equipment description and configuration can be printed out to the user (0025, 0049; see page 17-18: Print report).

As for claims 20, 21: Adding a peak-time profit value to the report specification sheet would have been obvious for investment purpose.

As for claims 23, 24, 25, 30: Holbrook et al teach a computer implemented method and corresponding system, program code means for planning an arrangement of furniture on a surface, comprising the steps/means for:

Providing an interface having a graphical representation of a surface (0036, 0043, fig, 8),

Providing on the interface a graphical representation of at least one piece of furniture (0039-0040),

Iteratively allowing a user to select a piece of furniture and place a graphical representation of the selected furniture onto the surface (0040, 0043). It is noted that Holbrook et al teach the arranging of furniture but not beverage equipment. However the different appears to be an obvious field of use. It would have been obvious to one of skill in the art at the time of the invention was made, to

apply Holbrook teaching to the arranging of beverage equipment for the advantage of having computer simulated arrangement. Total cost is calculated and reported to user (0025). Holbrook et al fail to teach the calculation of projected income value. However, calculation of projected income value is well known in business application. In light of the applying Holbrook's teaching to the investment of beverage equipment set forth above, it would have been obvious and desirable to implement the calculation and reporting the projected income value for the investment. The furniture (or equipment, in light of the combining set forth above) can be purchased from a Website on Internet (0031, 0044).

As for claim 26: The order is generated electronically (0031, 0044).

As for claim 27: Status inquires by Email is well known in computer art. The implementation would have been for the obvious advantages of computer technology.

----- NEW CITATIONS -----

US 2003/0172003 A1 (Holbrook et al) 11 September 2003. See par. 0025-0026, 0036-0037, 0039-0040, 0043